

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CR-00108-RJC

USA)
)
)
v.) ORDER
)
)
DELTON JEFFREY HUNT)
)

THIS MATTER is before the Court upon the defendant's memorandum in support of a concurrent sentence, (Doc. No. 23), which the government opposes, (Doc. No. 22).

According to the memorandum, after this Court sentenced the defendant for a violation of 18 U.S.C. § 922(g)(1) on January 18, 2012, a state judge sentenced him for assault on February 7, 2012. (Doc. No. 23 at 1). Although a federal court has discretion to announce whether its sentence will be served concurrently with or consecutively to an anticipated state sentence, Setser v. United States, 132 S. Ct. 1463, 1468 (2012), that issue was not addressed in the sentencing proceedings before this Court, and the defendant has not shown any authority to alter the final Judgment.

IT IS, THEREFORE, ORDERED that the defendant's request for a concurrent sentence, (Doc. No. 22), is **DENIED**.

Signed: September 26, 2016



Robert J. Conrad, Jr.
United States District Judge
